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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 STEVEN M. WILSON,

10 Plaintiff,

Case No. C17-1442-RAJ-JPD

11 v.

REPORT AND RECOMMENDATION

12 SNOHOMISH COUNTY SHERIFF'S
13 OFFICE, *et al.*,

Defendants.

14 On September 21, 2017, plaintiff submitted to the Court for filing a civil rights complaint
15 under 42 U.S.C. § 1983. (*See* Dkt. 1.) Plaintiff alleged therein that while confined at the
16 Snohomish County Jail in 2017 he was denied an adequate diet, and adequate medical and
17 mental health care. (*See* Dkt. 1-1 at 3.) Plaintiff also alleged that he had been abused by
18 unidentified members of the jail staff. (*Id.* at 4.) While plaintiff submitted an application to
19 proceed *in forma pauperis* with his complaint, he failed to submit the proper form. (*See* Dkt. 1.)
20 Thus, on September 28, 2017, the Clerk sent plaintiff a letter advising him that his submission
21 was deficient and that he would have to submit the proper *in forma pauperis* application form to
22 the Court by October 30, 2017, or risk dismissal of this action. (Dkt. 4.) The Clerk also
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1 provided plaintiff with a copy of the correct form. (*See* Dkt. 4.) To date, plaintiff has not
2 submitted the proper *in forma pauperis* application form to the Court for review.

3 As plaintiff has had ample time to correct the deficiency in his *in forma pauperis*
4 application, but has failed to do so, this Court recommends that the instant action be dismissed
5 without prejudice for failure to prosecute. A proposed order accompanies this Report and
6 Recommendation.

7 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
8 served upon all parties to this suit by no later than **December 4, 2017**. Failure to file objections
9 within the specified time may affect your right to appeal. Objections should be noted for
10 consideration on the District Judge's motion calendar for the third Friday after they are filed.
11 Responses to objections may be filed within **fourteen (14)** days after service of objections. If no
12 timely objections are filed, the matter will be ready for consideration by the District Judge on
13 **December 8, 2017**.

14 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
15 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
16 assigned District Judge acts on this Report and Recommendation.

17 DATED this 13th day of November, 2017.

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20 JAMES P. DONOHUE
21 Chief United States Magistrate Judge
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